

(4)

IN THE HIGH COURT OF JUDICATURE AT JABALPUR (MP).

WRIT PETITION NO: 5408/2000

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

PETITIONER : Virendra Singh S/o. Shri Ram Narayan Singh,
Aged about 36 years, Conductor,
M.P.S.R.T. Corporation, Raipur (MP).

VERSUS

RESPONDENTS : 1. M.P. State Road Transport Corporation
Through the Managing Director,
Headquarter Office, Habibganj,
BHOPAL (MP).
2. The Depot Manager,
M.P.S.R.T. Corporation Divisional Office,
Raipur.
3. presiding Officer,
Industrial Court, Indore (MP).

*order
marked*

PARTICULARS OF THE PETITIONER:

Attested

Arrested
A.R. (7) 17/11/06

C.G. Infrastructure Development Corporation,
Through: The Managing Director,
C.G.I. DC, Raipur (C.G.)

Dated: 1-8-2000

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR**Single Bench: Hon'ble Shri Satish K. Agnihotri, J.****W. P. No. 5408 OF 2000**

Petitioner : Virendra Singh
Versus

Respondents : M.P.S.R.T. Corporation & Others

Shri Bharat Rajput, counsel for the petitioner.

Shri Arvind Dubey, Panel lawyer for the State.

ORAL ORDER**(26th July, 2006)**

1. Learned counsel appearing for the petitioner, submits that the Industrial Court by order dated 1.8.2000 (Annexure P-2) remanded back the matter to the Labour Court, on the ground that the Labour Court has passed an order directing the reinstatement of the petitioner without back wages ex-parte. It was found by the Industrial Court, that the respondents were not given sufficient opportunity to place their case before the Labour Court. In view of that, the Industrial Court remanded back the matter to the Labour Court for fresh trial, after giving proper notice to the respondents, as stated in the operative part of the order dated 1.8.2000 (Annexure P-2) passed by the Industrial Court in Appeal No. 227/MPIR/2000 and Appeal No.228/MPIR/2000.
2. The Labour Court could not hear the matter, due to pendency of this petition in this Court.

3. I have heard learned counsel for the parties and have perused the records appended to the petition. I am of the view that the order of the Industrial Court does not suffer from any infirmity and illegality, as to call for interference by this Court, in exercise of its power under Article 227 of the Constitution of India.
4. The writ petition is accordingly dismissed, with a direction to the Labour Court to dispose of the matter within a period of three months, keeping in view the delay in disposal of the matter in view of pendency of this petition. Files of the case be returned back to the Labour Court, forthwith. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Court